February 2, 2005
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- - REMARKS - -

Claims 1-30 remain under consideration. Claims 1, 5, 6, 12, 15, 16, 20, 24, and 25 have been amended to more particularly point out and distinctly claim the Applicant's invention. No new matter has been added with the amendment of the claims. The Applicant responds to each ground of rejection as subsequently recited herein and respectfully requests reconsideration of the present application.

A. Claims 1-6, 8-16, 18-25, and 27-30 were rejected under 35 U.S.C. §102(e) as being anticipated by Bhatia, et al. (U.S. Publication Number 2002/0090932).

The Applicants have thoroughly considered the Examiner's remarks concerning patentability of the claims over U.S. Patent No. 5,565,873 to Bhatia, et al. (the "Bhatia patent"). The Applicant has also thoroughly read the Bhatia patent. The Applicant respectfully asserts that the Bhatia patent fails to include each and every element of the Applicant's invention as claimed, as required to maintain a rejection under 35 U.S.C. §102(e). See MPEP 2131.

The Applicant asserts that the Bhatia patent fails to disclose, teach, or suggest a method, system, or computer usable medium including a program for directing service in a vehicle including "receiving a service request from the vehicle, the service request requesting service over a service distribution channel," "determining vehicle delivery-enabling information suitable to the service distribution channel based on the service request and the vehicle location," and "sending the configured service to the vehicle over the service distribution channel," as recited in amended independent claims 1, 12, and 20. The Bhatia patent discloses a B2B engine which, upon receipt of the real-time status information, forwards the real-time data to the content providers, thereby permitting customization according to the respective user's real-time situation and preferences, but is silent as to tailoring the service to the particular service distribution channel, such as a web channel, speech channel, or the like, as recited in the present application's claims. See ¶0046. In the present invention, the service management subsystem provides a common

profile mechanism across the services being delivered independent of the service distribution channel. *See* page 8, lines 7-9. Withdrawal of the rejections of claims 1, 12, and 20 is respectfully requested.

Claims 2-6, 8-11; 13-16, 18, 19; and 21-25, 27-30 depend directly or indirectly from independent claims 1, 12, and 20, respectively. Therefore, the dependent claims include all the elements and limitations of their respective independent claims. The Applicant therefore respectfully submits that dependent claims 2-6, 8-11, 13-16, 18, 19, 21-25, and 27-30 are allowable over the *Bhatia* patent for at least the same reasons as set forth above for their respective independent claims.

The Applicant respectfully brings to the Examiner's attention that channel and service as used in the present application, and portal as used in the *Bhatia* patent, denote different distinct elements. Certain portions of the final Office Action appear to confuse these elements with each other. In the present application, examples of distribution channels include live agents, virtual agents, web channels, and speech channels; and examples of services include news, weather, sports, and stocks. *See* page 8, lines 7-11. In the *Bhatia* patent, a portal is an Internet portal for collecting and providing certain services based on such collected information may also be connected to the Internet, which may further communicate with other associated servers (weather, financial, news, ad), and communicate such collected information to a requester via the Internet 250. *See* ¶0042 and ¶0043. Those skilled in the art will appreciate the distinction between these different elements.

Withdrawal of the rejection of claims 1-6, 8-16, 18-25, and 27-30 under 35 U.S.C. §102(e) as being anticipated by the *Bhatia* patent is respectfully requested.

B. Claims 7, 17, and 26 were rejected under 35 U.S.C. §103(a) as unpatentable over Bhatia, *et al.* in view of Doi, *et al.* (U.S. Publication Number 2001/0014911).

For a rejection under §103(a) to stand, each and every element of the claims must be taught or suggested in at least as great a detail as contained in the art. Claims 7, 17, and 26 depend directly or indirectly from amended independent claims 1, 12, and 20, respectively, and therefore contain each and every element of the respective claims. The cited art, alone or in combination, fails to teach or suggest each and every element of claims 7, 17, and 26 for at least the reasons given above regarding amended independent claims 1, 12, and 20. Where an independent claim is nonobvious, any claim depending therefrom is also non-obvious. *See* MPEP 2143.03 and *In Re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) (where an independent claim is non-obvious, any claims depending therefrom are also non-obvious).

Withdrawal of the rejection of claims 7, 17, and 26 under 35 U.S.C. §103(a) as unpatentable over the *Bhatia* patent in view of the *Doi* patent is respectfully requested.
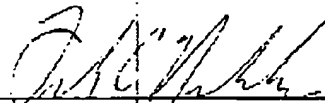
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CONCLUSION

The Applicants respectfully submit that claims 1-30 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing remarks, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully Submitted,
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